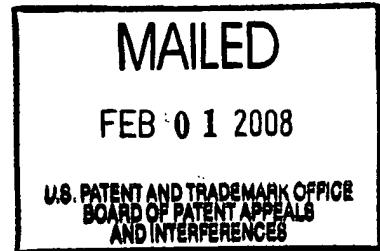


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte MARKUS LAUTENBACHER

Application 09/513,462



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on January 16, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the Examiner. The matter requiring attention prior to docketing is identified below.

**INFORMATION DISCLOSURE STATEMENT**

An Information Disclosure Statement (IDS) was filed on April 28, 2003. It is not apparent from the record whether the Examiner considered

the statement submitted or notified Appellant regarding why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying Appellant of the Primary Examiner's decision is required.

**CONCLUSION**

Accordingly, it is **ORDERED** that the application is returned to the Examiner to:

- 1) consider the IDS filed April 28, 2003, with appropriate notification to Appellant regarding the Primary Examiner's decision;
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

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**PATRICK J. NOLAN**  
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PJN/kis

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